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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/042,321 | 01/11/2002 | Takeya Miwa | Q68046 | 4431 |

23373 7590 07/10/2003

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EXAMINER

FIGUEROA, FELIX O

| | |
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| ART UNIT | PAPER NUMBER |
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2833

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,321

Applicant(s)

MIWA, TAKEYA

Examiner

Felix O. Figueroa

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 12 May 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The scope of claims 1 and 6 is indefinite because there is an inconsistency within the claims. Claim 1 and 6 initially indicate that the subcombination, a lamp socket / a socket assembly, is being claimed. However, later claims 1 and 6 contain positive limitations directed toward the lamp, the connector and the wire, suggesting that applicant intends to claim the combination of the lamp socket / the socket assembly and the lamp, the connector and the wire. Applicant is required to clarify what subject matter the claims are intended to be drawn to and the language of the claim must be amended to be consistent with this intent.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Okamoto (US 6,343,942).

Okamoto discloses a lamp socket comprising: a socket body (12); a connector housing (see Fig.13) for accommodating a connector; a bulb-mounting portion (see Fig.11) for mounting a lamp; and a terminal member (19) provided within the socket body so that a wire, the connector and the lamp are electrically directly connected.

Please note that the, the recitation "in which a plurality of the lamp sockets are mounted on a lamp unit body and are connected together through wires" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Regarding claim 2, Okamoto discloses the socket body provided with a wire connection portion (36).

Claims 1, 2 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Applicant's Admitted Prior Art (Figures 7-10).

Applicant's APA shows a lamp socket comprising: a socket body (1); a connector housing (1c) for accommodating a connector; a bulb-mounting portion (1a) for mounting a lamp; and a terminal member (2) provided within the socket body so that a wire, the connector and the lamp are electrically directly connected.

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Regarding claim 2, the APA discloses the socket body provided with a wire connection portion (below flange 1b).

Regarding claim 6, the APA discloses a socket assembly (Fig.9) comprising: a lamp unit body (5); a plurality of lamp sockets (1A, 1B and 1C) mounted on the lamp unit body and connected through wires (7), each lamp socket including: a socket body (1); a connector housing (1c) for accommodating a connector; a bulb-mounting portion (1a) for mounting a lamp; and a terminal member (2) provided within the socket body so that a wire, the connector and the lamp can be electrically directly connected.

Regarding claim 7, the APA shows the lamp sockets being connected to one another by wires of different lengths (Fig.9).

Regarding claim 8, the APA discloses the socket body provided with a wire connection portion (below flange 1b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (Figures 7-10) in view of Tanigawa (US 6,086,408).

Applicant's APA discloses substantially the claimed invention except for the wire insertion grooves in which the terminal member is mounted. Tanigawa teaches a socket assembly (Fig1) comprising a plurality of lamp sockets, each having a socket

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body (Fig.4), a bulb mounting portion (32), a terminal member (23K); the socket body including a wire connection portion (see Fig.7) including wire insertion grooves in which the terminal member is mounted, and the terminal member including at one end a press-connecting blade (40K) which can bite into a sheath of a wire to electrically connector to a conductor of the wire to provide a more stable and secure connection between the blade and the wire. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the socket body of the APA having the wire connection portion including wire insertion grooves in which the terminal member is mounted, as taught by Tanigawa, to form a more stable and secure connection between the blade and the wire.

Regarding claims 4 and 10, the APA shows the bulb in contact with a portion of the terminal member between the press-connecting blade and the male tab.

Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's APA and Tanigawa, and further in view of Mews et al. (US 5,931,691).

The APA, as modified by Tanigawa, discloses substantially the claimed invention except for the opposed retaining projections. Mews teaches a lamp socket with a wire connection portion including a wire insertion groove (24) with opposed retaining projections (near 43 in Fig.1) to tightly retain the wire in the insertion groove. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the wire insertion groove of Tanigawa with opposed retaining projections, as taught by Mews, to tightly retain the wire in the insertion groove.

Response to Arguments

Applicant's arguments filed 05/12/03 have been fully considered but they are not persuasive.

In response to applicant's arguments that Okamoto does not disclose "a terminal member provided in the socket body; wherein the connector, the lamp, and at least one of the wires are electrically directly connected to the terminal member", please note that the connector, the lamp, and at least one of the wires of Okamoto are considered to be electrically directly connected to the terminal member, since the terminal member is electrically directly connected to the connector, the lamp and the wire receiving portions. Please note that the fact that Okamoto presents a multipart assembly does not preclude a direct electrical connection between the connector, the lamp, and at least one of the wires.

In response to applicant's arguments that the AAPA does not disclose "a terminal member provided in the socket body; wherein the connector, the lamp, and at least one of the wires are electrically directly connected to the terminal member", please note that the connector, the lamp, and at least one of the wires of the AAPA are considered to be electrically directly connected to the terminal member, since the terminal member is electrically directly connected to the connector, the lamp and the wire receiving portions. Please note that the fact that the AAPA presents a multipart assembly does not preclude a direct electrical connection between the connector, the lamp, and at least one of the wires.

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In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a device at which the installing operation does not need to be effected at the lamp unit body, or a plurality of lamp socket that can be connected together beforehand) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Nonetheless, it is noted that the method of forming or intermediate steps of the formation of a device is not germane to the issue of patentability of the device itself.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (703) 308-0097. The examiner can normally be reached on Mon.-Fri., 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

ffr
July 3, 2003



RENEE LUEBKE
PRIMARY EXAMINER